

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BILLY DRIVER,
Plaintiff,

v.

AVILA, ET.AL,
Defendant.

Case No. [23-cv-03119-JD](#)

ORDER RE DISMISSAL

Plaintiff, a state prisoner, filed a pro se civil rights complaint under 42 U.S.C. § 1983 and a motion to proceed in forma pauperis (“IFP”). Plaintiff’s motion to proceed IFP was dismissed after the Court found that plaintiff was three-strikes barred pursuant to 28 U.S.C. § 1915(g). *See* Dkt. No. 13. Plaintiff was provided twenty-eight days to pay the full filing fee, four hundred and two dollars, or the case would be dismissed. The time to pay has passed and plaintiff has not paid the fee or otherwise communicated with the Court. Consequently, the case is dismissed without prejudice.

IT IS SO ORDERED.

Dated: December 15, 2023



JAMES DONATO
United States District Judge